



**CITY OF ABSECON**  
Municipal Complex  
500 Mill Road  
Absecon, New Jersey 08201

Carie A. Crone, RMC  
Municipal Clerk

Phone (609) 641-0663 x101  
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**CITY COUNCIL**

**May 7<sup>th</sup>, 2020**

**REGULAR MEETING - 5:00 PM**

**AGENDA**

***The Council Meeting will be held on-line and can be accessed by the public at Zoom.com. To access, join meeting ID # 888-4738-6273. Password: 399592. Those without internet can access audio of the meeting via phone by calling (646) 558-8656 (New York) and entering the join meeting ID#. If for any reason you are unable to connect to the meeting, please email you question to [jthompson@abseconnj.org](mailto:jthompson@abseconnj.org).***

ROLL CALL

PRESIDENT'S STATEMENT ON THE SUNSHINE LAW

NOTIFICATION THAT THIS MEETING IS ELECTRONICALLY RECORDED

**REGULAR MEETING AGENDA**

**2020 ORDINANCES FOR INTRODUCTION**

- 04** Bond Ordinance providing for the 2020 Road Improvement Program, by and in the City of Absecon, in the County of Atlantic, State of New Jersey; appropriating \$133,000 therefore and authorizing the issuance of \$126,350 Bonds or Notes of the city to finance part of the cost thereof.

- 05 Providing for a Supplemental Appropriation of \$278,000 for the acquisition of Block 220, Lots 12 and 13 on the tax map of the City of Absecon, in the County of Atlantic, New Jersey and the construction of a new Firehouse Building thereof in and by the City, authorizing the issuance of \$278,000 Bonds or Notes to finance the cost thereof.
- 06 Reappropriating \$353,000.00 proceeds of obligations not needed for their original purposes to provide for Road Improvements.
- 07 Amending Chapter 330 to designate a multi-way stop intersection at Highland Blvd., Morton Ave., Tenth Ave. and Ritz Dr.

**CONSENT AGENDA**

- 60 Authorizing Change Order No. 1 for the Construction of the New Fire Department Facility.
- 61 Authorizing Remington & Vernick, City Engineers, to administer the bidding and construction services for the City Hall Retaining Wall Replacement in the City of Absecon.
- 62 Authorizing the City Engineer, Remington & Vernick, to design and coordinate bids for the reconstruction of Bayview Drive – Phase 2.
- 63 Authorizing Remington & Vernick, City Engineers, to administer the bidding and construction services for the Pitney Road Pedestrian Safety Improvements in the City of Absecon.
- 64 Authorizing Change Order No. 4-Final for the New Jersey Ave. and Highland Blvd. Drainage Improvements.
- 65 Authorizing an extension of the grace period for the payment of property taxes for the 2<sup>nd</sup> quarter of 2020.

**APPROVAL OF BILL LIST – \$1,629,759.81 (4/16/2020)**  
**\$1,352,194.80 (5/7/2020)**

**REPORTS** Administrator/CFO  
Engineer  
Mayor

**PUBLIC PORTION**

**ADJOURNMENT**

**CITY OF ABSECON**

**ORDINANCE 04-2020**

**BOND ORDINANCE PROVIDING FOR THE 2020 ROAD IMPROVEMENT PROGRAM, BY AND IN THE CITY OF ABSECON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY; APPROPRIATING \$133,000 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$126,350 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF**

**BE IT ORDAINED AND ENACTED BY THE CITY COUNCIL OF THE CITY OF ABSECON, IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY** (not less than two-thirds of all the members thereof affirmatively concurring) AS FOLLOWS:

**SECTION 1.** The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement or purpose to be undertaken by the City of Absecon, in the County of Atlantic, State of New Jersey (the "City"). For the said improvement or purpose stated in Section 3, there is hereby appropriated the amount of \$133,000, said amount being inclusive of \$6,650 as the amount of down payment for said improvements or purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"). The down payment is now available by virtue of a provision or provisions in a previously adopted budget or budgets of the City for down payment or for capital improvement purposes.

**SECTION 2.** For the financing of said improvement or purpose described in Section 3 hereof, and to meet part of said \$133,000 appropriation not provided for by application hereunder of said down payment, negotiable bonds of the City are hereby authorized to be issued in the principal amount of \$126,350 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the City in a principal amount not exceeding \$126,350 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, said Local Bond Law.

**SECTION 3.** (a) The improvements hereby authorized and purpose for the financing of which said obligations are to be issued are for the 2020 Road Improvement Program as more fully referenced on a list on file in the office of the City Clerk, which list is hereby approved and incorporated herein. Such improvements or purposes are to include, as applicable, milling, construction, reconstruction, repairing and resurfacing, drainage improvements, inlet, manhole and water valve replacements, the restoration or construction of or improvements to curbs, sidewalks, traffic line striping, driveway aprons or barrier-free ramps along such roadways, the acquisition and installation of traffic signals and signage and including all engineering and design work, surveying, construction planning, preparation of plans and specifications, permits, bid documents, construction inspection and contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto.

- (b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$126,350.
- (c) The estimated cost of said purpose is \$133,000.

**SECTION 4.** In the event the United States of America, the State of New Jersey and/or the County of Atlantic make a contribution or grant in aid to the City for the improvement and purpose authorized hereby and the same shall be received by the City *prior* to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Atlantic. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Atlantic shall be received by the City after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the City as a result of using funds from this bond ordinance as "matching local funds" to receive such contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the City, provided that no note shall mature later than one (1) year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer of the City. The Chief Financial Officer of the City shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer of the City upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer of the City is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer of the City is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, and the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised or temporary capital budget has been filed with the Director of the Division of Local Government Services, within the New Jersey Department of Community Affairs.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The purpose described in Section 3 of this bond ordinance is not a current expense and is an improvement which the City may lawfully undertake as a general improvement, and no part of the cost thereof has been, or shall be, specially assessed on property specially benefited thereby.

(b) The period of usefulness of said improvements within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the City and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$126,350, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$27,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement herein before described.

**SECTION 8.** The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the obligations and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The City reasonably expects to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section 9 is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures toward the costs of the improvement or purpose described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations §150-2. No reimbursement allocation will employ an "abusive arbitrage device" under Treasury Regulations §1.148-10 to avoid the arbitrage restrictions or to avoid the restrictions under Sections 142 through 147, inclusive, of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized by this bond ordinance used to reimburse the City for costs of the improvement or purpose described in Section 3 hereof, or funds corresponding to such amounts, will not be used in a manner that results in the creation of "replacement proceeds", including "sinking funds", "pledged funds" or funds subject to a "negative pledge" (as such terms are defined in Treasury Regulations §1.148-1), of any bonds or notes authorized by this bond ordinance or another issue of debt obligations of the City, other than amounts deposited into a "bona fide debt service fund" (as defined in Treasury Regulations §1.148-1). The bonds or notes authorized herein to reimburse the City for any expenditures toward the costs of the improvement or purpose described in Section 3 hereof will be issued in an amount not to exceed \$126,350. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code. All reimbursement allocations will occur not later than 18 months after the later of (i) the date the expenditure from a source other than any bonds or notes authorized by this bond ordinance is paid, or (ii) the date the improvement or purpose described in Section 3 hereof is "placed in service" (within the meaning of Treasury Regulations §1.150-2) or abandoned, but in no event more than three years after the expenditure is paid.

**SECTION 10.** The City covenants to maintain the exclusion from gross income under section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

**SECTION 11.** The Chief Financial Officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City, which are authorized herein, and to execute such disclosure document on behalf of the City. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City, and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**SECTION 12.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**DATED:**

**SIGNED:** \_\_\_\_\_  
**Kimberly Horton, Mayor**

**ATTEST:** \_\_\_\_\_  
**Carie A. Crone, RMC, Municipal Clerk**

Not an Official Copy

CITY OF ABSECON

ORDINANCE 05-2020

**ORDINANCE PROVIDING FOR A SUPPLEMENTAL APPROPRIATION OF \$278,000 FOR THE ACQUISITION OF BLOCK 200, LOTS 12 AND 13 ON THE TAX MAP OF THE CITY OF ABSECON, IN THE COUNTY OF ATLANTIC, NEW JERSEY AND THE CONSTRUCTION OF A NEW FIREHOUSE BUILDING THEREOF IN AND BY THE CITY, AUTHORIZING THE ISSUANCE OF \$278,000 BONDS OR NOTES TO FINANCE THE COST THEREOF**

**WHEREAS**, the New Jersey Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "**Redevelopment Law**") authorizes municipalities to determine whether certain parcels of land in the municipality constitute areas in need of redevelopment; and

**WHEREAS**, the Redevelopment Law confers certain contract, planning and financial powers upon a redevelopment entity, as defined in *N.J.S.A. 40A:12A-3* of the Redevelopment Law, in order to implement redevelopment plans adopted pursuant thereto; and

**WHEREAS**, the City of Absecon (the "**City**") has elected to exercise these redevelopment entity powers directly, as permitted by *N.J.S.A. 40A:12A-4* of the Redevelopment Law; and

**WHEREAS**, the City designated that certain area bordered by White Horse Pike (U.S. Route 30), New Road, New Jersey Avenue and Michigan Avenue, known as Block 203 Lots 1.01 and 1.02 on the tax map of the City, as an area in need of redevelopment pursuant to the Redevelopment Law (the "**Redevelopment Area**"); and

**WHEREAS**, by Ordinance No. 10-2017, duly and finally adopted October 5, 2017, the City Council adopted the redevelopment plan dated August 16, 2017 (the "**Redevelopment Plan**"); and

**WHEREAS**, the City has deemed Redeveloper to be qualified to own, operate and complete construction of the Project; and

**WHEREAS**, on January 17, 2019, the City Council authorized execution of a redevelopment agreement by and between WP Absecon, LLC (the "**Redeveloper**") and the City (the "**Redevelopment Agreement**"), pursuant to which the Redeveloper will construct within the Redevelopment Area a project consisting of commercial and retail spaces (the "**Project**"); and

**WHEREAS**, in order to implement the Project it is necessary to acquire 544 New Jersey Avenue (also known as Block 200, Lots 12 and 13 on the tax Map of the City ) (the "**Property**"), construct a new replacement firehouse and relocate the City's fire company to such facility; and

**WHEREAS**, the Redeveloper has represented to the City that financial assistance is necessary in order for the Project to be undertaken in its intended scope including the acquisition of the Property and construct the new firehouse; and

**WHEREAS**, in order to enhance the economic viability of, and opportunity for, a successful Project, the City will enter into a financial agreement in connection with the Project governing payments

made to the City in lieu of real estate taxes for the respective components of the Project pursuant to the Long Term Tax Exemption Law, *N.J.S.A. 40A:20-1 et seq.*; and

**WHEREAS**, despite the Redeveloper's investment of equity and borrowed funds, such amounts are insufficient to pay for all the costs associated with the development and construction of the Project including the acquisition of the Property and the construction of the new firehouse; and

**WHEREAS**, in order to defray the cost to acquire the Property and construct a replacement firehouse as a component of the Project, the City agreed, upon satisfaction of such conditions as set forth herein, to issue general obligation bonds in one or more series in an aggregate principal amount not to exceed Three Million Dollars (\$3,000,000) (the "**RABs**" or "**Bonds**") pursuant to the Redevelopment Law, the Redevelopment Area Bond Financing Law, *N.J.S.A. 40A:12A-64 et seq.* (the "**RAB Law**", as further defined herein), and/or the Local Bond Law, *N.J.S.A. 40A:2-1 et seq.* (the "**Local Bond Law**"), as applicable; and

**WHEREAS**, on February 21, 2019 pursuant to RAB Law and the Local Bond Law, the City finally adopted Ordinance #02-2019 entitled "Ordinance Providing for the Acquisition of Block 200, Lots 12 and 13 on the Tax Map of the City of Absecon, in the County of Atlantic, New Jersey and the Construction of a New Firehouse Building Thereon in and by the City, Appropriating \$3,000,000 Therefor and Authorizing the Issuance of \$3,000,000 Bonds or Notes of the City to Finance the Cost Thereof"; and

**WHEREAS**, in order to defray the cost to acquire the Property and construct a replacement firehouse as a component of the Project, the City agreed, upon satisfaction of such conditions as set forth herein, to issue additional general obligation bonds in one or more series in an aggregate principal amount not to exceed Four Million Dollars (\$4,000,000) of RABs or Bonds pursuant to the Redevelopment Law, the RAB Law and the Local Bond Law, as applicable; and

**WHEREAS**, on August 15, 2019 pursuant to RAB Law and the Local Bond Law, the City finally adopted Ordinance #11-2019 entitled "Ordinance Providing for a Supplemental Appropriation of \$4,000,000 for the Acquisition of Block 200, Lots 12 and 13 on the Tax Map of the City of Absecon, in the County of Atlantic, New Jersey and the Construction of a New Firehouse Building Thereon in and by the City, Authorizing the Issuance of \$4,000,000 Bonds or Notes of the City to Finance the Cost Thereof"; and

**WHEREAS**, in order to defray the cost to acquire the Property and construct a replacement firehouse as a component of the Project, the City agreed, upon satisfaction of such conditions as set forth herein, to issue additional general obligation bonds in one or more series in an aggregate principal amount not to exceed Two Hundred Seventy-Eight Thousand Dollars (\$278,000) of RABs or Bonds pursuant to the Redevelopment Law, the RAB Law and the Local Bond Law, as applicable; and

**WHEREAS**, the City will use the proceeds of the Bonds to finance the acquisition of the Property and construction of the new firehouse as described in Section 3 of this bond ordinance.

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABSECON, IN THE COUNTY OF ATLANTIC, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) **AS FOLLOWS:**

**Section 1.** The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the City of Absecon, in the County of Atlantic, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the supplemental amount of \$278,000, such sum being in addition to the \$3,000,000 appropriated therefor by Ordinance #02-2019 (the "Original Bond Ordinance") and the \$4,000,000 appropriated therefor by Ordinance #11-2019 (the "First Supplemental Bond Ordinance"). Pursuant to *N.J.S.A. 40A:12A-37(c)(2)* of the Redevelopment Law, no down payment is required, notwithstanding the requirements of Section 11 of the Local Bond Law, because the improvements and purposes set forth in Section 3 constitute a "redevelopment project" under the Redevelopment Law.

**Section 2.** In order to finance the additional cost of the improvement or purpose described in Section 3(a) of this bond ordinance, negotiable bonds are hereby authorized to be issued in the principal amount of \$278,000 pursuant to the Local Bond Law and the Redevelopment Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law and the Redevelopment Law.

**Section 3.** (a) The purpose for the financing of which the bonds are to be issued is the acquisition of the Property and the construction, equipping and furnishing of a new firehouse building, including all work and materials necessary therefor and incidental thereto, on the Property. In connection therewith, the City is authorized to acquire the Property and construct the new firehouse.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$7,278,000, including the \$3,000,000 authorized by the Original Bond Ordinance, the \$4,000,000 authorized by the First Supplemental Bond Ordinance and the \$278,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$7,278,000, including the \$3,000,000 appropriated by the Original Bond Ordinance, the \$4,000,000 appropriated by the First Supplemental Bond Ordinance and the \$278,000 bonds or bond anticipation notes appropriated herein.

**Section 4.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 5.** The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is thirty (30) years. Notwithstanding any other law to the contrary, the Redevelopment Law, *N.J.S.A. 40A:12A-37(c)* provides, among other things, that bonds or other obligations of any municipality issued pursuant thereto shall mature in annual installments ending not more than forty (40) years from the date of issuance.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$278,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$1,455,000 for items of expense listed in and permitted under *N.J.S.A. 40A:2-20* is included in the estimated cost indicated herein for the purpose or improvement. Of this amount, \$600,000 was estimated for these items of expense in the Original Bond Ordinance, \$800,000 was estimated for these items of expense in the First Supplemental Bond Ordinance and an additional \$55,000 is estimated therefor herein.

(e) The maximum interest rate on the bonds shall be 7% without further authorization of the City Council, which authorization may be by resolution.

**Section 7.** The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations of the federal income tax law.

**Section 8.** Any grant moneys received for the purpose described in Section 3(a) hereof, as well as net proceeds from the sale of the existing firehouse property, shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this

bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**Section 9.** The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law,

or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**Section 10.** The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

**Section 11.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**DATED:**

**SIGNED:** \_\_\_\_\_

**Kimberly Horton, Mayor**

**ATTEST:** \_\_\_\_\_

**Carie A. Crone, RMC, Municipal Clerk**

**CITY OF ABSECON**

**ORDINANCE 06-2020**

**ORDINANCE REAPPROPRIATING \$353,000.00 PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR ORIGINAL PURPOSES TO PROVIDE FOR ROAD IMPROVEMENTS**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABSECON, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:**

**Section 1.** Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$353,000.00 of the proceeds of obligations originally made available pursuant to the following bond ordinances of the City of Absecon, in the County of Atlantic, New Jersey are no longer necessary for the various purposes for which the obligations previously were authorized:

<u>Ordinance #</u>	<u>Improvement Description</u>	<u>Amt to be Re-appropriated</u>
1-2017	2017 Turner Ave Waterfront finally adopted 2/16/17	\$ 2.94
6-2018	2018 Various Capital/Generator finally adopted 4/19/18	\$ 27,997.06
6-2019	2019 Various Capital/Pitney Park finally adopted 4/18/19	\$ 325,000.00

**Section 2.** The \$353,000.00 proceeds described in Section 1 made available pursuant to N.J.S.A. 40A:2-39 are hereby re-appropriated to provide for the following improvements:

Road Program	\$ 168,000.00
Pitney Pedestrian Safety	\$ 100,000.00
Retaining Wall	\$ 15,000.00
Dredging	\$ 50,000.00
Police Equipment	\$ 20,000.00

**Section 3.** The capital budget of the City of Absecon is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

**Section 4.** This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**DATED:**

**SIGNED:**

\_\_\_\_\_  
**Kimberly Horton, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Carie A. Crone, RMC, Municipal Clerk**

**CITY OF ABSECON**

**ORDINANCE 07-2020**

**AN ORDINANCE OF THE CITY OF ABSECON AMENDING CHAPTER 330  
TO DESIGNATE A MULTI-WAY STOP INTERSECTION AT  
HIGHLAND BOULEVARD, MORTON AVENUE, TENTH AVENUE, AND RITZ DRIVE**

**WHEREAS**, Title 39 of the New Jersey Statutes permits a municipality to pass an ordinance to regulate the passage or stopping of traffic at certain street corners or other designated points, including the establishment of multi-way stop controls, without the need for approval from the New Jersey Department of Transportation, provided it is consistent with the current standards prescribed by the Manual on Uniform Traffic Control Devices (MUTCD); and

**WHEREAS**, pursuant to Section 2B.07 of the MUTCD, the City Engineer has determined that multi-way stop control at the intersection of Highland Boulevard, Morton Avenue, Tenth Avenue, and Ritz Drive would improve traffic operational characteristics of the intersection.

**NOW, THEREFORE, BE IT ORDAINED BY THE MUNICIPAL COUNCIL OF THE CITY OF ABSECON, NEW JERSEY THAT ARTICLE VII OF CHAPTER 330 OF THE CITY OF ABSECON SHALL BE AMENDED TO ADD THE FOLLOWING:**

**330-30 Multi-Way stop intersections.**

Pursuant to the provisions of NJSA 39:4-140, the intersections herein described are designated as Multi-Way Stop intersections. Stop signs shall be installed as provided herein.

<b>Intersection</b>	<b>Stop Sign(s) On</b>
Highland Boulevard, Morton Avenue, Tenth Avenue, and Ritz Drive	All

**DATED:**

**SIGNED:** \_\_\_\_\_  
**Kimberly Horton, Mayor**

**ATTEST:** \_\_\_\_\_  
**Carie A. Crone, RMC, Municipal Cler**

**CITY OF ABSECON**

**RESOLUTION 60-2020**

**A RESOLUTION AUTHORIZING CHANGE ORDER NO. 1  
FOR THE CONSTRUCTION OF NEW FIRE DEPARTMENT FACILITY**

**WHEREAS**, the City of Absecon has contracted with Frankoski Construction Company, 314 Dodd Street, East Orange, NJ 07017, for the Construction of the New Fire Department Facility in the City of Absecon; and

**WHEREAS**, the nature and reason of the change is to adjust the contract as further described in the attached Change Order No. 1; and

**WHEREAS**, this resolution sets forth the certification of available funds of the maximum dollar value of the contract according to N.J.A.C. 5:30-5.4(a)3.  
Budget Account Number C-04-34-185-015

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Absecon, New Jersey, that:

1. The foregoing facts are hereby ratified and affirmed.
2. The allegations of the preamble hereto are incorporated herein as is set forth in full.
3. The total amount of Change Order No. 1 \$25,000.00
4. The adjusted amount of the contract based on Change Order No.1 is increased to \$6,001,000.00.
5. The appropriate City officials are herewith authorized and instructed to do all things necessary to carry out the intention of this Resolution.
6. The authorization for the proper officials to execute Change Order No.1 is hereby given.

**Dated: May 7<sup>th</sup>, 2020**

**This is to certify that this is a true  
Copy of a Resolution adopted by the  
Council of the City of Absecon at a  
Regular meeting held May 7<sup>th</sup>, 2020.**

**ATTEST:** \_\_\_\_\_  
**Carie A. Crone, RMC, Municipal Clerk**

**CITY OF ABSECON**

**RESOLUTION 61-2020**

**A RESOLUTION AUTHORIZING REMINGTON & VERNICK, CITY ENGINEERS TO ADMINISTER THE BIDDING AND CONSTRUCTION SERVICES FOR THE CITY HALL RETAINING WALL REPLACEMENT IN THE CITY OF ABSECON**

**WHEREAS**, the City of Absecon has determined the need to replace the Retaining Wall located at City Hall along Heritage Lake; and

**WHEREAS**, the firm of Remington & Vernick Engineers has provided a proposal to undertake the bidding and construction services for a fee not to exceed \$19,000.00; and

**WHEREAS**, this resolution sets forth the certification of available funds of the maximum dollar value of the contract according to N.J.A.C. 5:30-5.4(a)3.

Account # C-04-34-187-015                      \$ 19,000.00

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Absecon that the firm of Remington & Vernick Engineers, is hereby authorized to administer the bidding and construction services for the City Hall Retaining Wall Replacement for a sum not to exceed \$19,000.00.

**Dated: May 7<sup>th</sup>, 2020**

**This is to certify that this is a true  
Copy of a Resolution adopted by the  
Council of the City of Absecon at a  
Regular meeting held May 7<sup>th</sup>, 2020.**

**ATTEST:**

**Carie A. Crone, RMC, Municipal Clerk**

**CITY OF ABSECON**

**RESOLUTION 62-2020**

**A RESOLUTION AUTHORIZING THE CITY ENGINEER,  
REMINGTON & VERNICK, TO DESIGN AND COORDINATE  
BIDS FOR THE RECONSTRUCTION OF BAYVIEW DRIVE – PHASE 2**

**WHEREAS**, the Public Works Committee of the Municipal Council has determined the need for road paving of Bayview Drive in the City of Absecon; and

**WHEREAS**, the City applied for and received grant funding through the New Jersey Department of Transportation (NJDOT) Fiscal Year 2020 Municipal Aid Program for this project in the amount of \$305,000; and

**WHEREAS**, the City received NJDOT funding previously to complete half of this road and the Phase 2 project will complete the reconstruction of Bayview Drive; and

**WHEREAS**, the firm of Remington & Vernick Engineers has provided a proposal to undertake the design, bid coordination and related services for the Reconstruction of Bayveiw Drive – Phase 2 for a fee not to exceed \$38,000.00; and

**WHEREAS**, this resolution sets forth the certification of available funds of the maximum dollar value of the contract according to N.J.A.C. 5:30-5.4(a)3.

Account # C-04-34-186-015                      \$ 38,000.00

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Absecon that the firm of Remington & Vernick Engineers, is hereby authorized to administer the design and bid coordination for the Reconstruction of Bayview Drive – Phase 2 for a sum not to exceed \$38,000.00.

**Dated: May 7<sup>th</sup>, 2020**

**This is to certify that this is a true  
Copy of a Resolution adopted by the  
Council of the City of Absecon at a  
Regular meeting held May 7<sup>th</sup>, 2020.**

**ATTEST:** \_\_\_\_\_  
**Carie A. Crone, RMC, Municipal Clerk**

**CITY OF ABSECON**  
**RESOLUTION 63-2020**

**A RESOLUTION AUTHORIZING REMINGTON & VERNICK, CITY ENGINEERS  
TO ADMINISTER THE BIDDING AND CONSTRUCTION SERVICES FOR THE PITNEY  
ROAD PEDESTRIAN SAFETY IMPROVEMENTS IN THE CITY OF ABSECON**

**WHEREAS**, the City of Absecon has determined the need to make Pedestrian Safety Improvements to Pitney Road and Connecticut Avenue; and

**WHEREAS**, the firm of Remington & Vernick Engineers has provided a proposal to undertake the bidding and construction services for a fee not to exceed \$36,000.00; and

**WHEREAS**, this resolution sets forth the certification of available funds of the maximum dollar value of the contract according to N.J.A.C. 5:30-5.4(a)3.

Account # C-04-34-188-015                      \$ 36,000.00

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Absecon that the firm of Remington & Vernick Engineers, is hereby authorized to administer the bidding and construction services for the Pedestrian Safety Improvements for a sum not to exceed \$36,000.00.

**Dated: May 7<sup>th</sup>, 2020**

**This is to certify that this is a true  
Copy of a Resolution adopted by the  
Council of the City of Absecon at a  
Regular meeting held May 7<sup>th</sup>, 2020.**

**ATTEST:** \_\_\_\_\_  
**Carie A. Crone, RMC, Municipal Clerk**

**CITY OF ABSECON**

**RESOLUTION 64-2020**

**A RESOLUTION AUTHORIZING CHANGE ORDER NO. 4 - FINAL  
FOR THE NEW JERSEY AVE AND HIGHLAND BLVD DRAINAGE IMPROVEMENTS**

**WHEREAS**, the City of Absecon has contracted with Charles Marandino, LLC, P.O. Box 20, Milmay, NJ 08340, for the New Jersey Ave and Highland Blvd Drainage Improvements, in the City of Absecon; and

**WHEREAS**, the nature and reason of the change is to adjust the contract as further described in the attached Change Order No. 4 - Final; and

**WHEREAS**, this resolution sets forth the certification of available funds of the maximum dollar value of the contract according to N.J.A.C. 5:30-5.4(a)3.  
Budget Account Number G-02-41-730-010

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the City of Absecon, New Jersey, that:

1. The foregoing facts are hereby ratified and affirmed.
2. The allegations of the preamble hereto are incorporated herein as is set forth in full.
3. The total amount of Change Order No. 4 - Final is \$47,617.84
4. The adjusted amount of the contract based on Change Order No.4 - Final is increased to \$991,475.75.
5. The appropriate City officials are herewith authorized and instructed to do all things necessary to carry out the intention of this Resolution.
6. The authorization for the proper officials to execute Change Order No.4 - Final is hereby given.

**Dated: May 7<sup>th</sup>, 2020**

**This is to certify that this is a true  
Copy of a Resolution adopted by the  
Council of the City of Absecon at a  
Regular meeting held May 7<sup>th</sup>, 2020.**

**ATTEST: \_\_\_\_\_  
Carie A. Crone, RMC, Municipal Clerk**

**CITY OF ABSECON**

**RESOLUTION 65-2020**

**A RESOLUTION AUTHORIZING AN EXTENSION OF THE GRACE PERIOD FOR THE PAYMENT OF PROPERTY TAXES FOR THE 2<sup>ND</sup> QUARTER OF 2020**

**WHEREAS**, there exists a declared Public Health Emergency and a State of Emergency throughout the State due to the public health hazard posed by Coronavirus disease 2019 ("COVID-19"); and

**WHEREAS**, on April 28, 2020 Governor Phil Murphy issued Executive Order 130 which allows municipalities to extend the grace period for May 1<sup>st</sup> Property Tax Payments; and

**WHEREAS**, on January 2, 2020, the City Council of the City of Absecon adopted resolution 10-2020 which allows for a ten (10) day grace period as per NJSA 54:4-67a.; and

**WHEREAS**, the City Council of the City of Absecon desires to authorize a two-week extension of the 2<sup>nd</sup> quarter tax payment grace period in an effort to assist residents during this difficult time. **NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Absecon, County of Atlantic, and State of New Jersey as follows:

1. The grace period for the payment of property taxes without interest is extended to May 22, 2020. Therefore, second quarter 2020 taxes paid by May 22<sup>nd</sup> will not include interest.

**Dated: May 7<sup>th</sup>, 2020**

**This is to certify that this is a true  
Copy of a Resolution adopted by the  
Council of the City of Absecon at a  
Regular meeting held May 7<sup>th</sup>, 2020.**

**ATTEST: \_\_\_\_\_  
Carie A. Crone, RMC, Municipal Clerk**



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
G0003	GOFFCO INDUSTRIES, INC							
	20-00061	01/21/20	BAIL RECEIPT BOOKS	Open	175.00	0.00		
G0041	GALLOWAY ACE HARDWARE							
	20-00313	04/02/20	SUPPLIES FIRE DEPT. 426521	Open	307.08	0.00		
	20-00347	04/14/20	SUPPLIES P.W. 146066	Open	<u>71.94</u>	0.00		
					379.02			
G0104	GROOVY GIRLZ							
	20-00329	04/07/20	KN95 MASKS	Open	5,500.00	0.00		
H0070	HUTCHINSON HEATING AIR/COND							
	20-00348	04/14/20	SERVICE CALL 03/25/20	Open	558.75	0.00		
H0095	KIM HORTON							
	20-00353	04/14/20	LYSOL SPRAY	Open	21.29	0.00		
J0001	JAN-PRO CLEANING SYSTEMS							
	20-00322	04/07/20	APRIL 2020 SERVICES	Open	1,446.12	0.00		
L0001	LOOSELEAF LAW PUBLICATIONS INC							
	20-00011	01/09/20	NJ CRIMINAL CODE & TRAFFIC LAW	Open	34.85	0.00		
L0086	TELESYSTEM							
	20-00344	04/13/20	APRIL 2020 BILLING	Open	2,812.00	0.00		
M0005	JP MONZO MUNICIPAL CONSULTING							
	20-00363	04/16/20	WEBINAR 4/23/20	Open	50.00	0.00		
M0122	WILLIAM H. MARSDEN							
	20-00335	04/13/20	ELECTRICAL SUBCODE	Open	160.00	0.00		
M0193	MASER CONSULTING P.A.							
	20-00350	04/14/20	PROFESSIONAL SERVICES	Open	179.50	0.00		
N0002	NJ AMERICAN WATER CO.							
	20-00321	04/06/20	MARCH 2020 HYDRANTS & WATER	Open	7,978.66	0.00		
N0091	NETWORK CONNECTIVITY, INC.							
	20-00311	04/02/20	MAY 2020 MAINTENANCE	Open	3,218.00	0.00		
N0111	NORTHERN SAFETY CO INC							
	20-00197	03/02/20	RESPIRATORS	Open	142.13	0.00		
P0001	THE PRESS							
	20-00324	04/07/20	LEGAL ADS	Open	139.47	0.00		
P0012	PETER LUMBER CO							
	20-00305	03/31/20	INFIELD MIX BIN LUMBER	Open	304.08	0.00		
P0014	PEDRONI FUEL CO							
	20-00346	04/14/20	GASOLINE	Open	136.05	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
P0123 PARKER MCCAY P.A.	20-00355	04/14/20	PROFESSIONAL SERVICES	Open	5,462.55	0.00		
R0079 V.E. RALPH	20-00317	04/03/20	MEDICAL SUPPLIES	Open	1,023.40	0.00		
R0085 ROBERT L REID	20-00243	03/12/20	PROFESSIONAL SERVICES	Open	550.00	0.00		
S0006 SPRINT	20-00352	04/14/20	JAN/FEB/MAR 2020 BILLING	Open	3,742.74	0.00		
S0245 JESSICA SNYDER	20-00354	04/14/20	FACE MASKS & FILTERS	Open	183.00	0.00		
T0044 TREASURER	20-00320	04/06/20	1Q 2020 TRAINING FEES	Open	1,006.00	0.00		
	20-00358	04/14/20	MARCH 2020 DOG REPORT	Open	8.40	0.00		
	20-00359	04/16/20	1Q2020 MARRIAGE/CU LICENSES	Open	150.00	0.00		
					<u>1,164.40</u>			
T0045 THIS & THAT	20-00333	04/09/20	EMERG. MGMNT JACKET & PATCH	Open	198.00	0.00		
T0068 TRANSUNION RISK & ALTERNATIVE	20-00314	04/03/20	MEMBERSHIP USAGE DEPOSIT	Open	300.00	0.00		
T0092 TOSHIBA BUSINESS SOLUTIONS,USA	20-00327	04/07/20	COPIER MAINTENANCE & COUNTER	Open	246.10	0.00		
T0096 TOSHIBA FINANCIAL SERVICES	20-00340	04/13/20	MONTHLY BILLING COPIER LEASE	Open	102.48	0.00		
T0105 TELVUE CORP.	20-00339	04/13/20	WEBUS SUPPORT 4/20-6/20	Open	600.00	0.00		
U0021 UNITED METHODIST CHURCH	20-00332	04/09/20	MARCH 2020 SENIOR SERVICES	Open	2,628.62	0.00		
V0012 VISION SERVICE PLAN (EA)	20-00325	04/07/20	MARCH 2020 CLAIMS	Open	237.50	0.00		
<hr/> Total Purchase Orders: 49 Total P.O. Line Items: 0 Total List Amount: 1,629,759.81 Total Void Amount: 0.00								



Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
G0061 GRIMLEY LAW	20-00394	04/30/20	PROFESSIONAL SERVICES	Open	750.00	0.00		
G0099 GARDEN STATE HIGHWAY	20-00410	05/04/20	NEW STREET SIGNS	Open	794.00	0.00		
H0066 THE HOME DEPOT CREDIT SERVICE	20-00389	04/27/20	RESPIRATORS POLICE DEPT.	Open	195.91	0.00		
H0070 HUTCHINSON HEATING AIR/COND	20-00409	05/04/20	PREVENTATIVE MAINT. JUN-AUG	Open	1,184.50	0.00		
H0083 HORIZON BLUE CROSS	20-00369	04/20/20	MAY 2020 DENTAL COSTS	Open	4,187.18	0.00		
J0001 JAN-PRO CLEANING SYSTEMS	20-00412	05/04/20	MAY 2020 SERVICES	Open	1,446.12	0.00		
J0032 JERSEY NATIONAL TITLE, INC.	20-00364	04/16/20	INSURANCE & SEARCH B200, L11	Open	810.00	0.00		
L0051 LAUREL LAWNMOWER SERVICE	20-00411	05/04/20	REDMAX TRIMMER	Open	436.09	0.00		
M0122 WILLIAM H. MARSDEN	20-00393	04/30/20	ELECTRICAL SUBCODE	Open	160.00	0.00		
N0111 NORTHERN SAFETY CO INC	20-00257	03/16/20	UNIVERSAL DUFFEL SPILL KIT	Open	156.72	0.00		
	20-00310	04/02/20	NITRILE GLOVES	Open	289.57	0.00		
	20-00386	04/27/20	JANITOR CART & SUPPLIES	Open	<u>326.91</u>	0.00		
					773.20			
O0034 OFFICE BASICS INC	20-00331	04/09/20	OFFICE SUPPLIES	Open	121.09	0.00		
P0014 PEDRONI FUEL CO	20-00385	04/27/20	GASOLINE	Open	523.92	0.00		
Q0004 QUILL CORPORATION	20-00323	04/07/20	OFFICE SUPPLIES	Open	730.63	0.00		
R0007 REMINGTON & VERNICK ENGINEERS	19-00876	09/09/19	CITY HALL RETAINING WALL	Open	3,900.00	0.00		B
	19-01124	11/13/19	FIREHOUSE CONSTRUCTION	Open	31,250.00	0.00		B
	20-00372	04/21/20	PROFESSIONAL SERVICES	Open	<u>12,740.37</u>	0.00		
					47,890.37			
S0003 STC WATER TREATMENT SERVICE	20-00408	05/04/20	APRIL 2020 WATER TREATMENT	Open	104.00	0.00		
S0019 SOUTH JERSEY GAS CO.	20-00391	04/27/20	MONTHLY BILLING	Open	1,630.14	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
S0158 SITE ONE LANDSCAPE SUPPLY, LLC	20-00407	05/04/20	FERTILIZER	Open	547.31	0.00		
T0002 TRI CITY PRODUCTS	20-00382	04/27/20	ROLLED TOWELS	Open	199.50	0.00		
T0021 TAX COLL/TREAS ASSOC NJ	20-00399	05/04/20	WEBINAR CONFERENCE 6/16-17/20	Open	400.00	0.00		
T0045 THIS & THAT	20-00375	04/23/20	GEAR FOR 3 NEW SLEOS	Open	735.00	0.00		
T0092 TOSHIBA BUSINESS SOLUTIONS,USA	20-00368	04/20/20	COPIER COUNTER & MAINTENANCE	Open	79.28	0.00		
T0096 TOSHIBA FINANCIAL SERVICES	20-00388	04/27/20	COPIER LEASE BILLING	Open	337.00	0.00		
V0012 VISION SERVICE PLAN (EA)	20-00381	04/24/20	MAY 2020 VISION PLAN	Open	255.92	0.00		
V0022 VERIZON	20-00390	04/27/20	MONTHLY BILLING	Open	145.84	0.00		
W0044 WASZEN BROTHERS	20-00383	04/27/20	SEWER PUMP MAINT. & PORTA POT	Open	17,901.83	0.00		
<hr/> <b>Total Purchase Orders: 46 Total P.O. Line Items: 0 Total List Amount: 1,352,194.80 Total Void Amount: 0.00</b> <hr/>								